

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

NOTIFICATION OF DECISION

REGISTERED POST

Jonathan Barron,

Reference Number: DED 905
Application Received: 5th June, 2025
Name of Applicant: Jonathan Barron
Agent: Rathcroghan Designs

WHEREAS a question has arisen as to whether the construction of a slatted shed, manure pit together with all associated site works at Kilroddan, Loughglynn, Co. Roscommon., is or is not development and is or is not exempted development:

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 6 and 8 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Act, 2000, as amended.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works are development.
- (b) The construction of a new slatted shed and manure pit as described in this case is an exempted development.
- (c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to construct a slatted shed, manure pit together with all associated site works at Kilroddan, Loughglynn, Co. Roscommon., is development that is **exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed on behalf of the Council:



Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 11th August, 2025

cc agent via email: Rathcroghan Designs
rathcroghandesign@gmail.com

ADVICE NOTE

Any person issued with a Declaration under Section 5 of the Planning and Development Act, 2000 (as amended) may, on payment to An Bord Pleanála of the prescribed fee, refer a Declaration for review within 4 weeks of the date of the issuing of the Declaration.

Carmel Curley

From: Carmel Curley
Sent: Tuesday 12 August 2025 11:34
To: [REDACTED]
Cc: Martin Dowd
Subject: DED905- Notification of Decision
Attachments: DED905 - Notification of Decision.pdf; DED 905 - Stamped Plans & Maps.pdf

Hi Jonathan,

Please find attached Notification of Decision for your Section 5 Declaration of Exempted Development Application together with stamps plans/maps. Please note that a hard copy will also be issued via registered post.

Regards,

Carmel

Carmel Curley, Staff Officer,
Planning Department, Roscommon County Council,
Aras an Chontae, Roscommon, Co. Roscommon, F42 VR98
☎: (090) 6637100

✉: planning@roscommoncoco.ie | 🌐 www.roscommoncoco.ie

MAP LOCATION



**Planner's Report on application under Section 5 of the
Planning and Development Acts 2000 (as amended)**

Reference Number: DED 905

Re: Application for a Declaration under Section 5 of the Planning & Development Act, 2000, as amended, regarding Exempted Development to construct a slatted shed, manure pit together with all associated site works under the Planning & Development Act (Exempt Development) Regulations 2018 at Kilroddan, Loughglynn, Co. Roscommon.

Applicants: Jonathan Barron

Date: 28th July 2025 (Site Inspection on 24/07/2025)

WHEREAS a question has arisen as to whether to construct a slatted shed, manure pit together with all associated site works in Kilroddan, Loughglynn, Co. Roscommon is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 6 and 8 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) Class 13 of Part 1 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (e) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Act, 2000, as amended
- (f) The planning history of the site

Site Location & Development Description

The subject site is located in Kilroddan, Loughglynn, Co. Roscommon and the land is in agricultural use. The site is accessed via an existing farm road to the rear of a derelict house of the L-56151 road, the proposed structure is situated in a field with no existing farmyard on site. It is proposed to construct a new slatted shed with the proposed structure stated at 198m² and a manure pit stated at 42m².

Archaeological and Cultural Heritage

No RMP recorded in the likely zone of influence of the proposed development. No Protected structures or structures listed in the National Inventory of Architectural Heritage the likely zone of influence of the proposed development.

Appropriate Assessment

The closest European sites to the site of the proposed development are Drumalough Bog PNHA/SAC (Site Code 001632/002338) which is located circa 1.5km to the southwest and Lough Glinn PNHA (Site Code 001644) which is located circa 2.6km to the northeast of the proposed site.

Having regard to the separation distance between the site and the closest Natura 2000 site and the nature of the proposal, there is no real likelihood of significant effects on the conservation objectives of these or other European sites arising from the proposed development. The need for further Appropriate Assessment, therefore, be excluded.

Planning History

As per the Roscommon County Council's Planning Registry, no recent planning history has been traced relating to the subject site.

Relevant statutory provisions

Planning and Development Acts 2000 (as amended)

Section 2. -(1)

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3. -(1)

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4 (2) of the Planning and Development Act provides that the Minister, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations.

Planning and Development Regulations, 2001 as amended

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 3 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 3 opposite the mention of that class in the said column 1.

Article 9 (1) applies:

Development to which article 6 relates shall not be exempted development for the purposes of the Act

viiB) comprise development in relation to which a planning authority or an Bord Pleanála is the competent authority in relation to appropriate assessment and the development would require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site.

The proposed shed (170.8m² stated):

The construction of a new slatted shed appears to come within the scope of Class 6 of Part 3 of Article 6 - *Exempted Development Rural* of the Regulations.

PART 3 - Article 6 - Exempted Development - Rural

Column 1 - Description of Development

<p><i>Agricultural Structures</i> CLASS 6</p> <p>Works consisting of the provision of a roofed structure for the housing of cattle, sheep, goats, donkeys, horses, deer or rabbits, having a gross floor space not exceeding 200 square metres (whether or not by extension of an existing structure), and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within 100 metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
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<p><i>Agricultural Structures</i> CLASS 8</p> <p>Works consisting of the provision of roofless cubicles, open loose yards, self-feed silo or silage areas, feeding aprons, assembly yards, milking parlours or structures for the making or storage of silage or any other structures of a similar character or description, having an aggregate gross floor space not exceeding 200 square metres, and any ancillary provision for effluent storage.</p>	<ol style="list-style-type: none"> 1. No such structure shall be used for any purpose other than the purpose of agriculture. 2. The gross floor space of such structure together with any other such structures situated within the same farmyard complex or within 100 metres of that complex shall not exceed 300 square metres gross floor space in aggregate. 3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. 4. No such structure shall be situated, and no effluent from such structure shall be stored, within 10 metres of any public road. 5. No such structure within 100 metres of any public road shall exceed 8 metres in height. 6. No such structure shall be situated, and no effluent from such structure shall be stored, within 100 metres of any house (other than the house of the person providing the structure) or other residential building or school, hospital, church or building used for public assembly, save with the consent in writing of the owner and, as may be appropriate, the occupier or person in charge thereof. 7. No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.
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Assessment:

In accordance with the Planning and Development Act, 2000, as amended Section 3. (1) development is defined as the following: "In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land". The proposed development is considered to be the carrying out of works. Works are defined in the Act as; "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure....". It is considered that said proposed development constitutes development, as defined in Section 3 of the said Act.

With regard to the compliance with the conditions and limitations of Class 6 of Part 3 of Schedule 2 (Exempted Development - Rural) the following assessment sets out how these apply to the current proposal:

1. As per the submitted details the proposed structure is for agricultural use.
2. No existing structures.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. Onus on applicant to comply with this.
4. The structure is to be situated approx. 56m from the public road.
5. The proposed structure does not exceed 8 metres in height.
6. Based on information provided and site inspection there is a house approx. 42m from the proposed structure, it is unclear from the information provided if the house is in ownership of the applicant, but based on land direct the existing house and proposed site are under the one folio number.
7. Based on information provided, the structure pre-painted sheeting.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 6 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a new slatted shed as described in this case is considered to be an exempted development.

With regard to the compliance with the conditions and limitations of Class 8 of Part 3 of Schedule 2 (Exempted Development - Rural) the following assessment sets out how these apply to the current proposal:

1. As per the submitted details the proposed structure is for agricultural use.
2. No existing structures.
3. Effluent storage facilities adequate to serve the structure having regard to its size, use and location shall be constructed in line with Department of Agriculture, Food and Rural Development and Department of the Environment and Local Government requirements and shall have regard to the need to avoid water pollution. Onus on applicant to comply with this.
4. The structure is to be situated approx. 80m from the public road.
5. The proposed structure does not exceed 8 metres in height.
6. Based on information provided and site inspection there is a house approx. 67m from the proposed structure, it is unclear from the information provided if the house is in ownership of the applicant, but based on land direct the existing house and proposed site are under the one folio number.
7. N/A, concrete walls.

Having reviewed the proposed works in the context of the Conditions and Limitations associated with Class 8 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended, the construction of a manure pit as described in this case is considered to be an exempted development.

With Regard to Article 9 (1)(a) of the Planning and Development Regulations, it is reasonable to conclude that on the basis of the information available, it is considered that the proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the need for EIA or AA does not apply with respect to the current referral case.

I am satisfied that an Environmental Impact Assessment Report or Natura Impact Statement are not required. It should be noted that any development for which Environmental Impact Assessment or Appropriate Assessment is required shall not be exempted development unless specifically exempted in regulations where there is provision in other legislation for the carrying out of EIA or AA. In addition, the restrictions on exemption Art 9 (1)(a) (viiB) exclude development which would otherwise be exempted development under these regulations where a NIS is required.

Recommendation

WHEREAS a question has arisen as to whether to construct a slatted shed, manure pit together with all associated site works in Kilroddan, Loughglynn, Co. Roscommon is or is not development and is or is not exempted development.

I have considered this question, and I have had regard particularly to –

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended
- (c) Class 6 and 8 of Part 3 Article 6 Schedule 2 of the Planning and Development Regulations, 2001, as amended
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Act, 2000, as amended
- (e) The planning history of the site

AND WHEREAS I have concluded that

- a) The works are development.
- b) The construction of a new slatted shed and manure pit as described in this case is an exempted development.
- c) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

and I recommend that a declaration to that effect should be issued to the applicant.

Signed:



Assistant Engineer

Date: 28th July 2025

Signed:



Senior Executive Planner

Date: 11th August 2025







Comhairle Contae
Ros Comáin
Roscommon
County Council



Jonathan Barron,


Date: 9th June, 2025
Planning Reference: DED 905

Re: Application for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development.

Development: Permission to construct a slatted shed, manure pit together with all associated site works under the Planning & Development Act (Exempted Development) regulations 2018 at Kilroddan, Loughglynn, Co. Roscommon.

A Chara,

I wish to acknowledge receipt of the application which was received on the 5th June, 2025, for a Declaration under Section 5 of the Planning & Development Act 2000 (as amended), regarding Exempted Development along with the appropriate fee in the sum of €80.00, Receipt No: **L/01/0/235067** dated 5th June, 2025, receipt enclosed herewith.

Note: Please note your Planning Reference No. is **DED 905**
This should be quoted in all correspondence and telephone queries.

Mise le meas,


Alan O'Connell,
Senior Executive Planner,
Planning Department.

cc agent via email: **Rathcroghan Design Ltd**
rathcroghandesign@gmail.com

Roscommon County Council
Aras an Chontae
Roscommon
09066 37100

05/08/2025 14:38 57

Receipt No: L01/0/235067

JONATHAN BARON
C/O MARTIN DOWD
RATHCROGHAN DESIGNS
BALLINAGARE
CO. ROSCOMMON

EXEMPTED DEVELOPMENT

PLANNING APPLICATION FEES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	
DED905	

Total	80 00 EUR
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Tendered :	
Credit/Debit Card	80 00
6657	

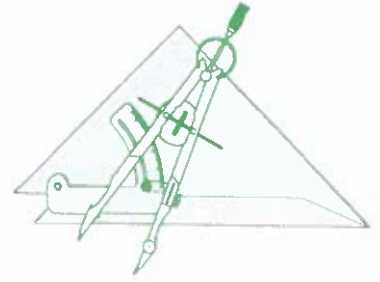
Change :	0 00
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Issued By : Louis Carroll
From : Central Cash Office

Rathcroghan Designs

**BALLYCONBOY, BALLINAGARE, CASTLEREA,
CO. ROSCOMMON**

MOBILE : 086 2328484 TEL/FAX : 071 9639983



Planning Authority
Galway County Council
Prospect Hill,
Galway,



June 4th 2025

Dear sir or madam,

Please find enclosed Planning Application for exempted development on behalf of Jonathan Barron. I wish to pay the application fee by card. I would be obliged if you could contact me on this number 086 2328484 at your convenience so that I can give you card details in order to make payment

Many Thanks

A handwritten signature in blue ink, appearing to read 'Martin Dowd'.

Martin Dowd Assoc SCSi
Rathcroghan Designs
Ph. 086 2328484



Comhairle Contae
Ros Comáin
Roscommon
County Council



Áras an Chontae,
Roscommon,
Co. Roscommon.

Phone: (090) 6637100

Email: planning@roscommoncoco.ie

Roscommon County Council

Application for a Declaration under Section 5 of the

Planning & Development Act 2000 (as amended), regarding Exempted Development

Name of Applicant(s)	JONATHAN BARRON
Name of Agent	MARTIN DOWD C/O. RATUCROGHAN DESIGN'S
Nature of Proposed Works	TO CONSTRUCT A SLATTED SHED + MANURE PIT, TOGETHER WITH ALL ASSOCIATED SITE WORKS.
Location & Address of Subject Property to include, Eircode (where applicable), Townland & O.S No.	KILRODDAN, LOUGHGLYNW CO. ROSCOMMON
Floor Area: a) Existing Structure b) Proposed Structure	a) <u>19 m²</u> b) <u>240 m²</u>
Height above ground level:	6.32m
Total area of private open space remaining after completion of this development	N/A
Roofing Material (Slates, Tiles, other) (Specify)	PREPAINTED SHEETING

Roscommon County Council

Application for a Declaration under Section 5 of the



Proposed external walling (plaster, stonework, brick or other finish, giving colour)	NAP PLASTER
Is proposed works located at front/rear/side of existing house.	—
Has an application been made previously for this site	No
If yes give ref. number (include full details of existing extension, if any)	—
Existing use of land or structure	AGRICULTURE
Proposed use of land or structure	AGRICULTURE
Distance of proposed building line from edge of roadway	55.8m
Does the proposed development involve the provision of a piped water supply	YES - EXISTING
Does the proposed development involve the provision of sanitary facilities	N/A.

Planning & Development Act 2000 (as amended), regarding Exempted Development

Signature:

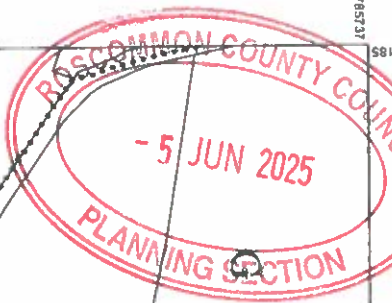
Date:

Note: This application must be accompanied by: -

- (a) €80 fee
- (b) Site Location map to a scale of 1:2500 clearly identifying the location
- (c) Site Layout plan to the scale of 1:500 indicating exact location of proposed development
- (d) Detailed specification of development proposed

Planning Pack Map

Prepared By: Martin Dowd Rathcroghan Designs,
Ballinagare, Castlerock, Co. Roscommon



Site Boundary

CENTRE COORDINATES:
ITM 560477,785522
PUBLISHED: 03/06/2025
ORDER NO.: 50470505_1
MAP SERIES: 1:5,000
MAP SHEETS: 2094

COMPILED AND PUBLISHED BY:

Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08FGE4

www.tailte.ie

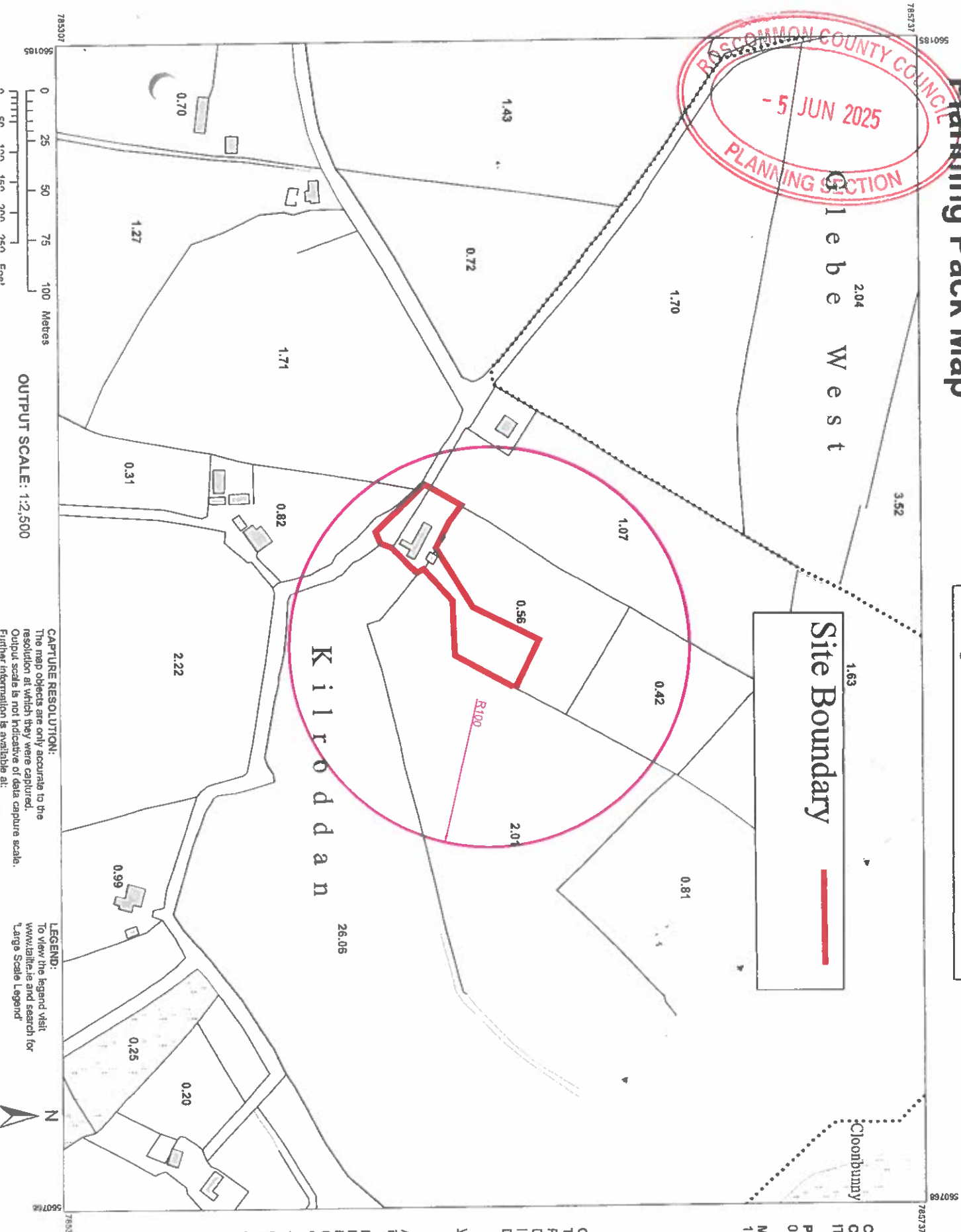
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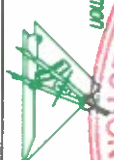
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RATHCROGHAN DESIGN
Ballycorboy, Ballynagare, Castlereagh, Co. Roscommon

Ph: 086 2328484
E-mail: rathcroghandesigns@gmail.com



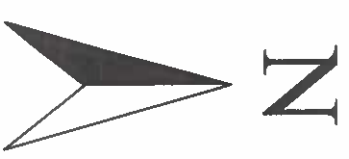
Client

Jonathan Barron

Title

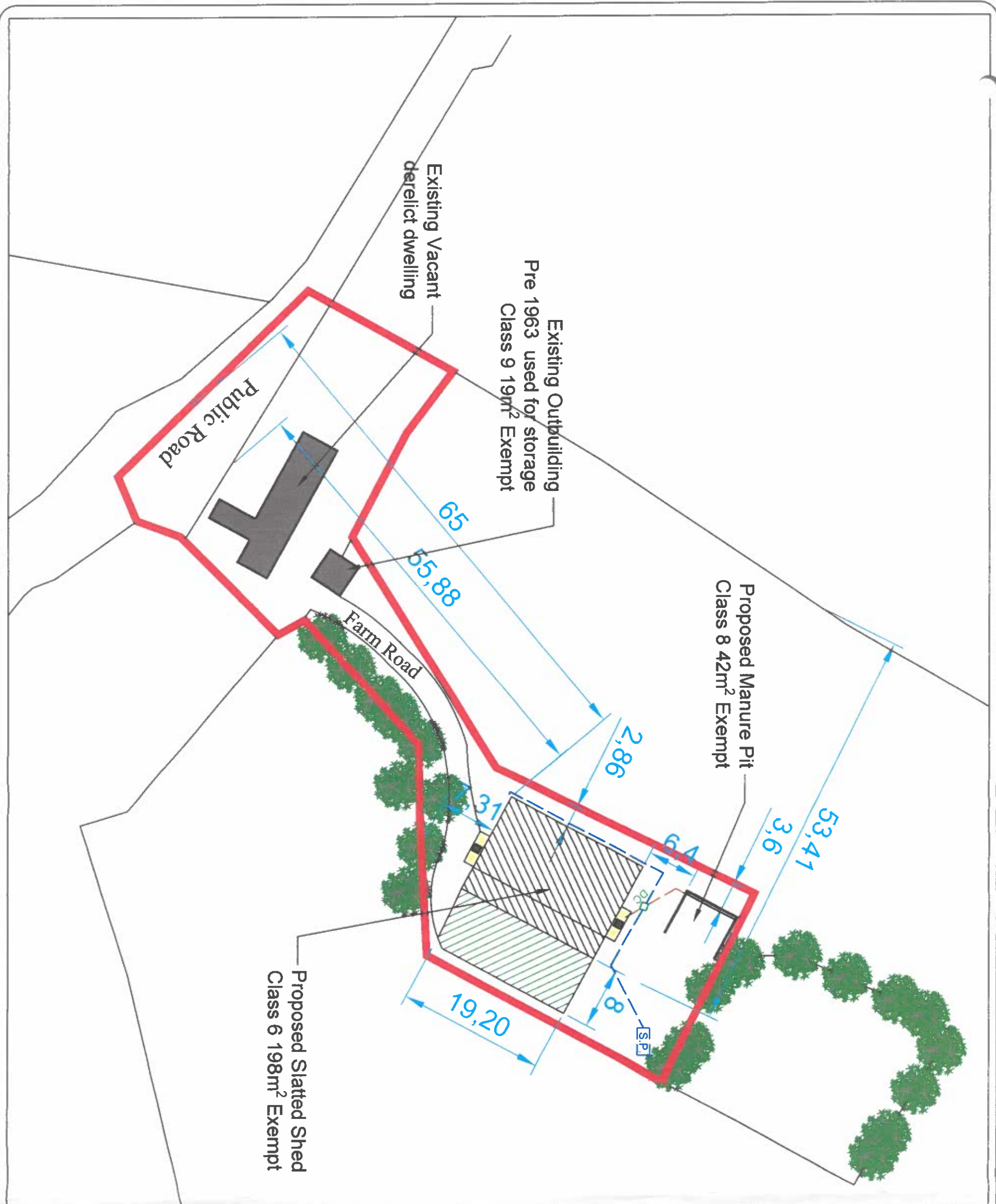
Draft Site Layout

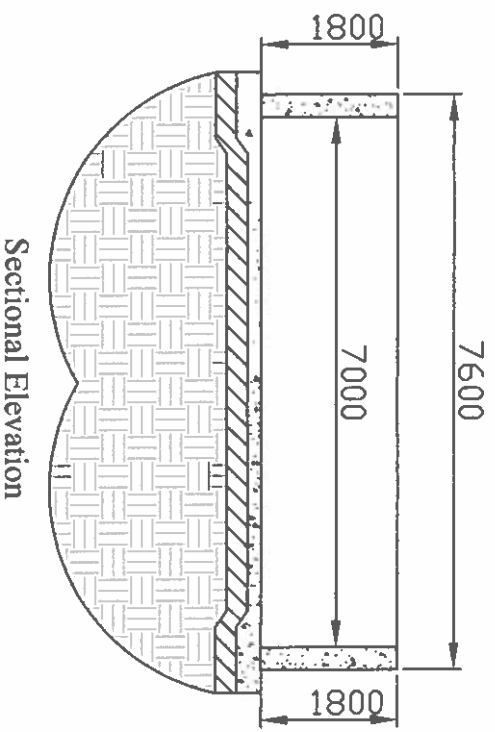
Scale:	1:500 UNLESS NOTED	Sheet	Dwg. No.
Drawn:	MARTIN DOWD	1 OF 1	25-128
Date:	08-05-2025		



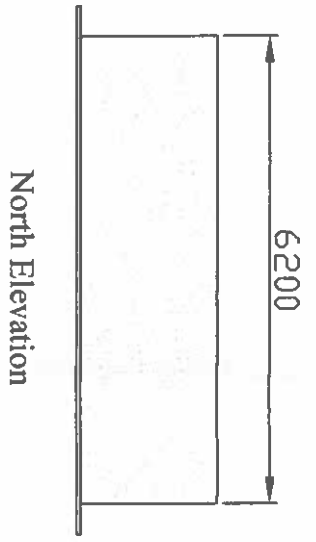
Site Area 0.226Ha

Proposed Buildings	
Existing Buildings	
Ancillary Concrete	
Diversion Chamber	
Effluent Sewer	
Storm Sewer	
Soakpit	

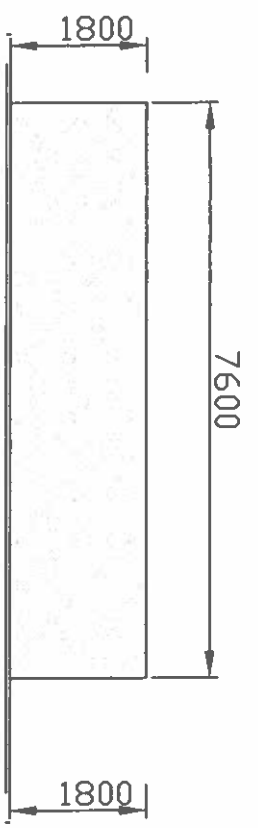




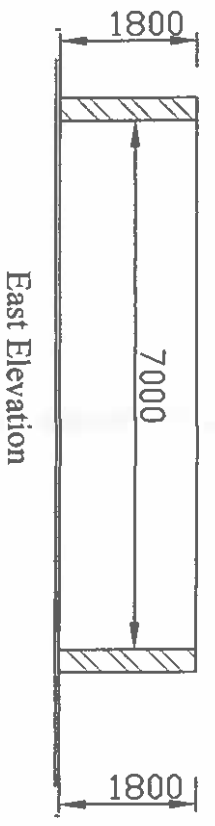
Sectional Elevation



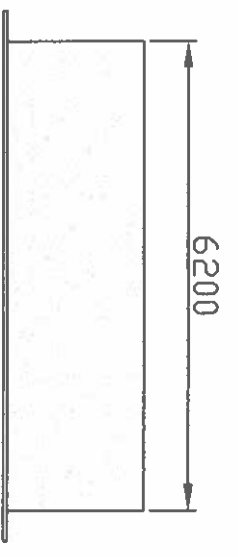
North Elevation



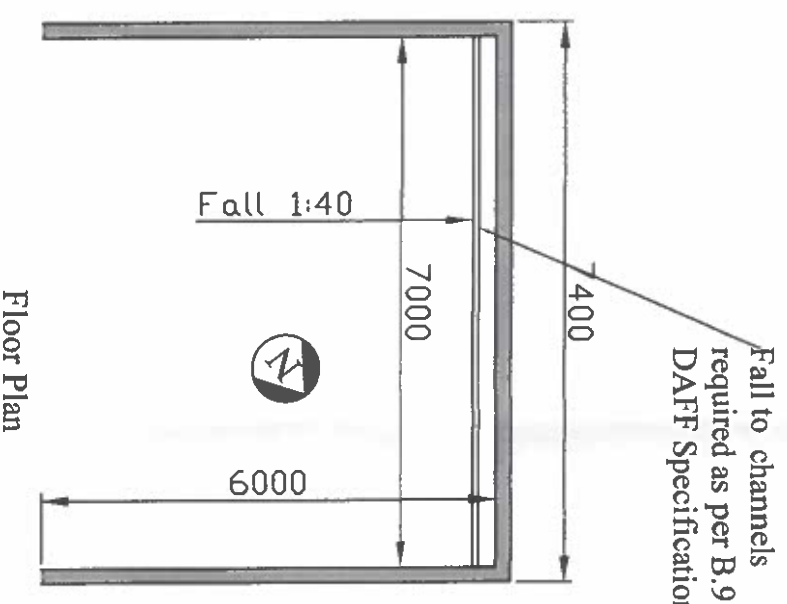
West Elevation



East Elevation



South Elevation



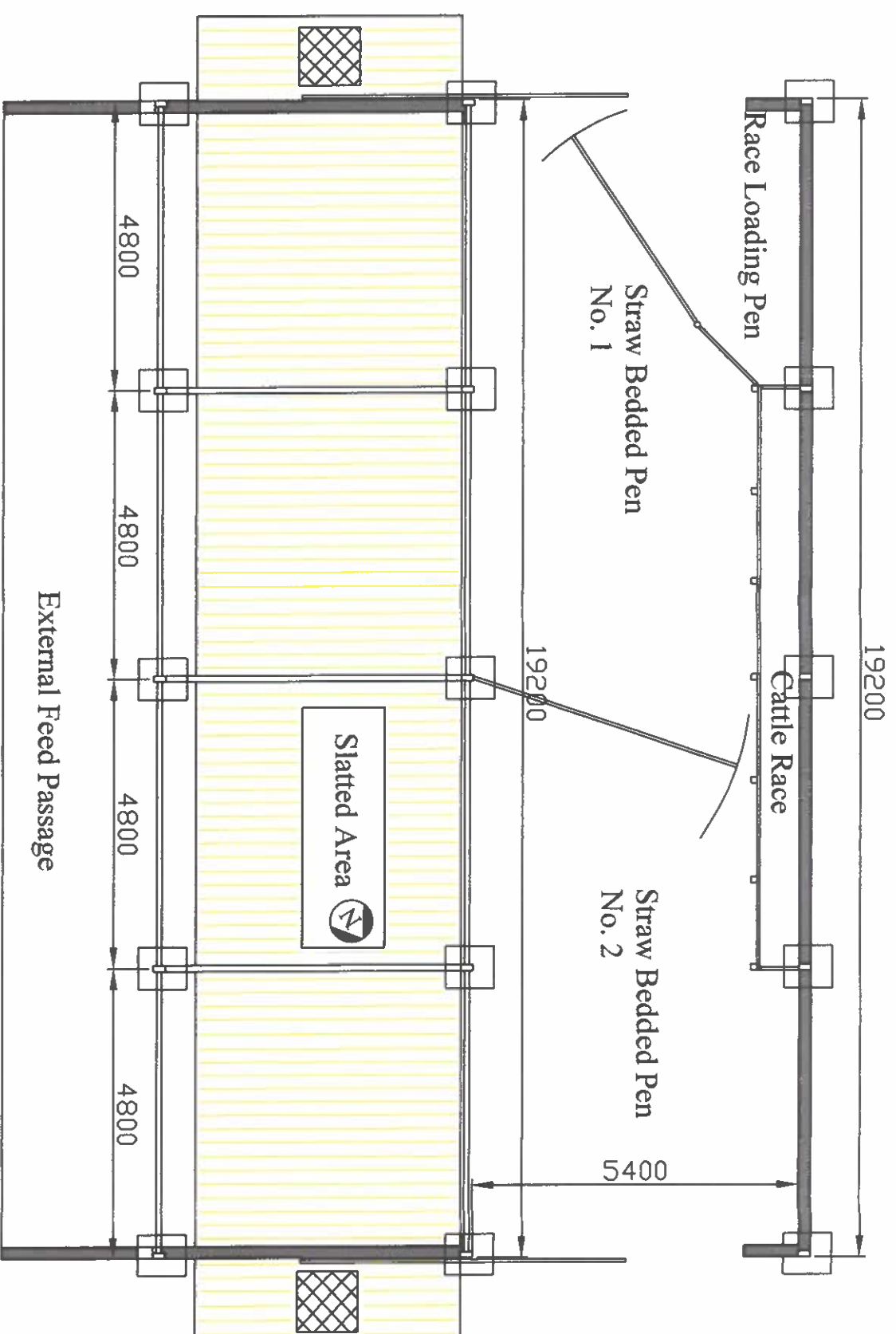
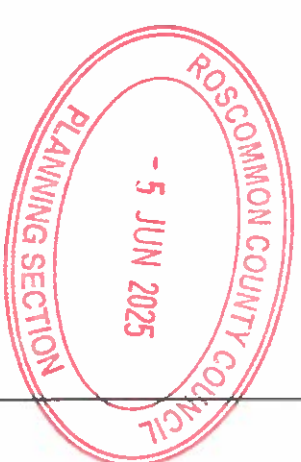
Floor Plan

No.	Revision	Date
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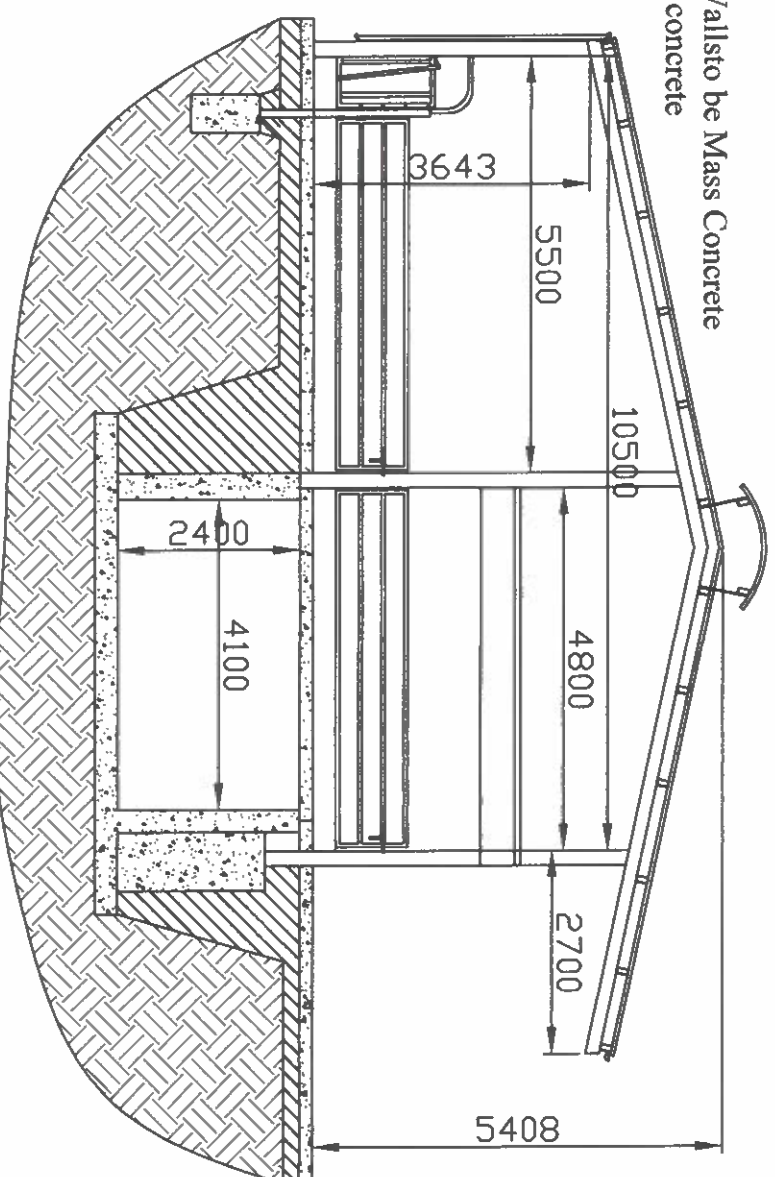
RATHCROGHAN DESIGN
Associate Member of Society of Chartered Surveyors Ireland
Ballycorboy, Ballymore, Castlereagh, Co. Roscommon
Ph: 086 2328484 Email: rathcroghanesign@gmail.com

Client
Johnathan Barron

Title Manure Pit		
Scale 1:100 UNLESS NOTED	Sheet 1 OF 1	Dwg. No. 25-156
Drawn MARTIN DUFFY		
Date 09-05-2024		



External Wallsto be Mass Concrete using 35N concrete



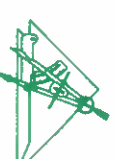
Roof Material to be Prepainted Sheeting on 150 x 75 Purlins secured to IPE 200 Rafters carried by IPE 200 Stansions

Super Structure to be carried on Walls of Reinforced Unground Concrete tank Constructed to Dept of Agriculture Specifications

Sectional Elevation

RATHCROGHAN DESIGN

Ballyconoby, Ballymore, Castlebar, Co. Roscommon
Phn 086 2329484 E-mail rathcrogan@rathcrogan.com



Client

Jonahan Barron

Title

SLATTED SHED

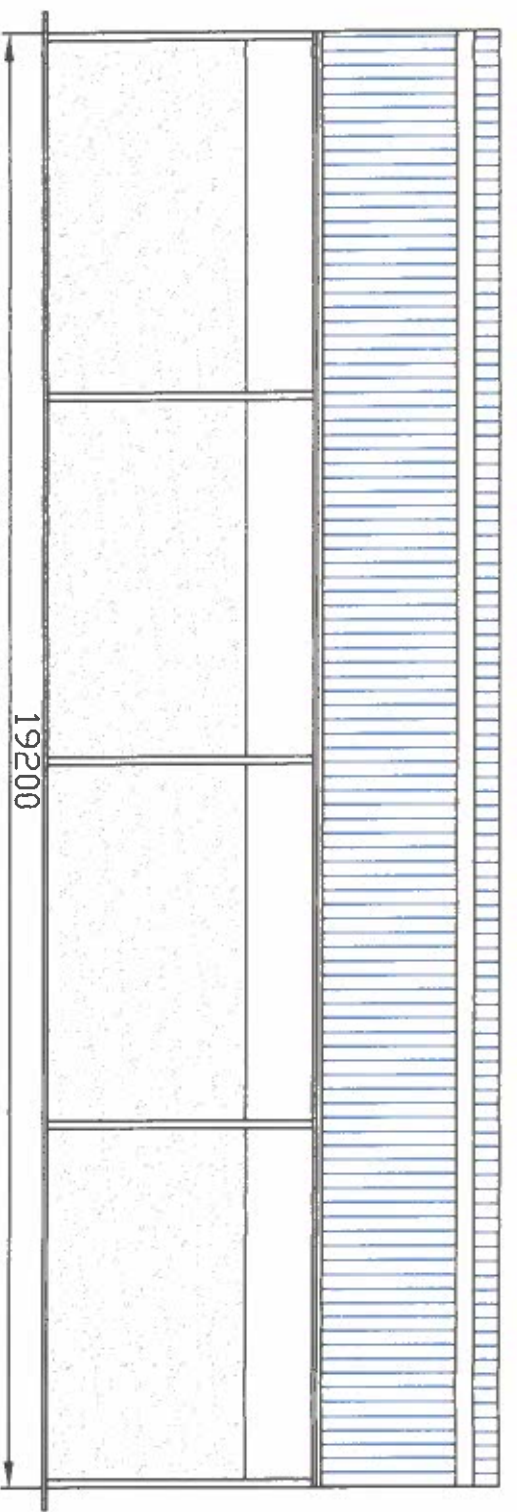
Scale: 1:100 (ALLS) 1:100
Drawn: MARTIN DODD
Date: 28-04-2025

Sheet

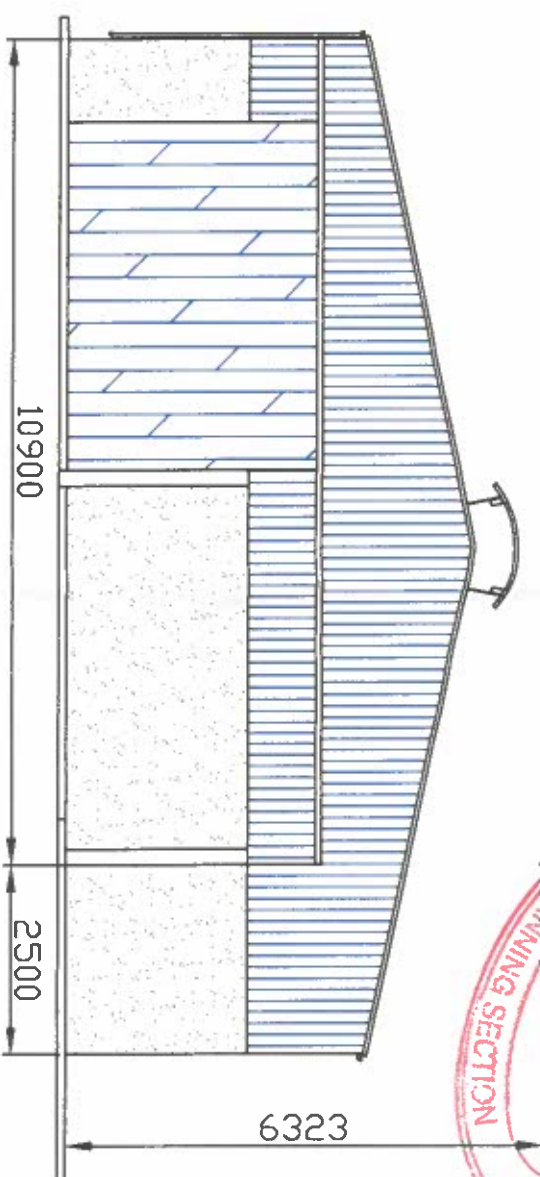
1 OF 2

Drawg. No.

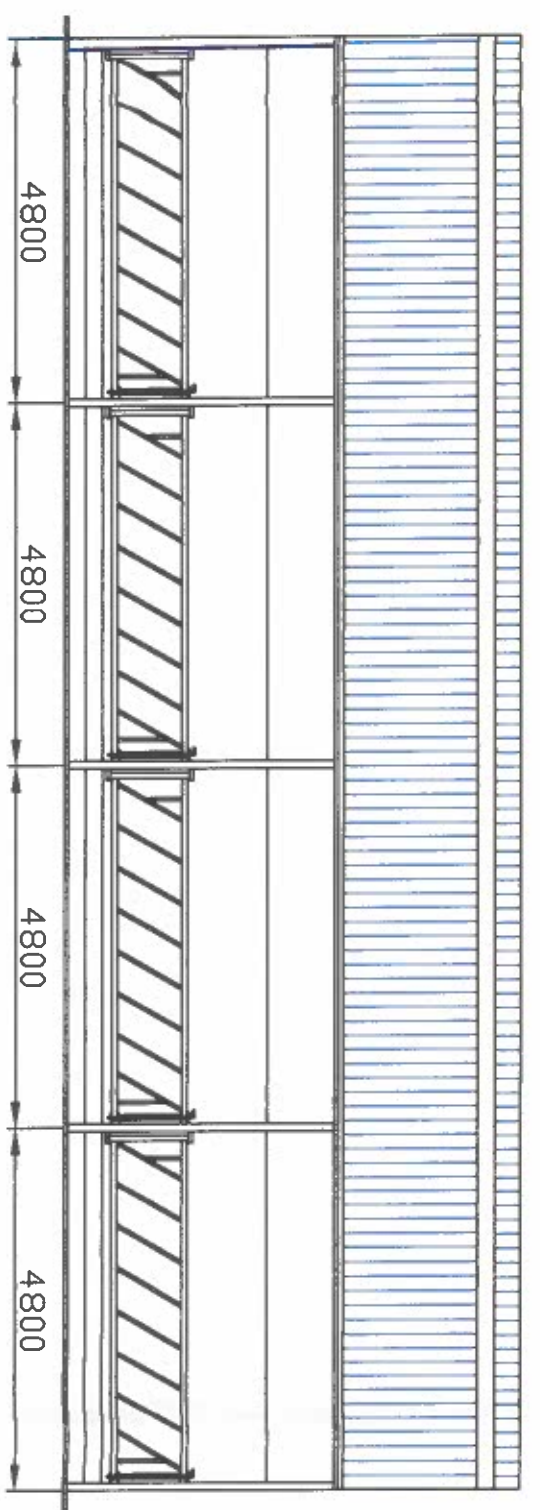
25-145



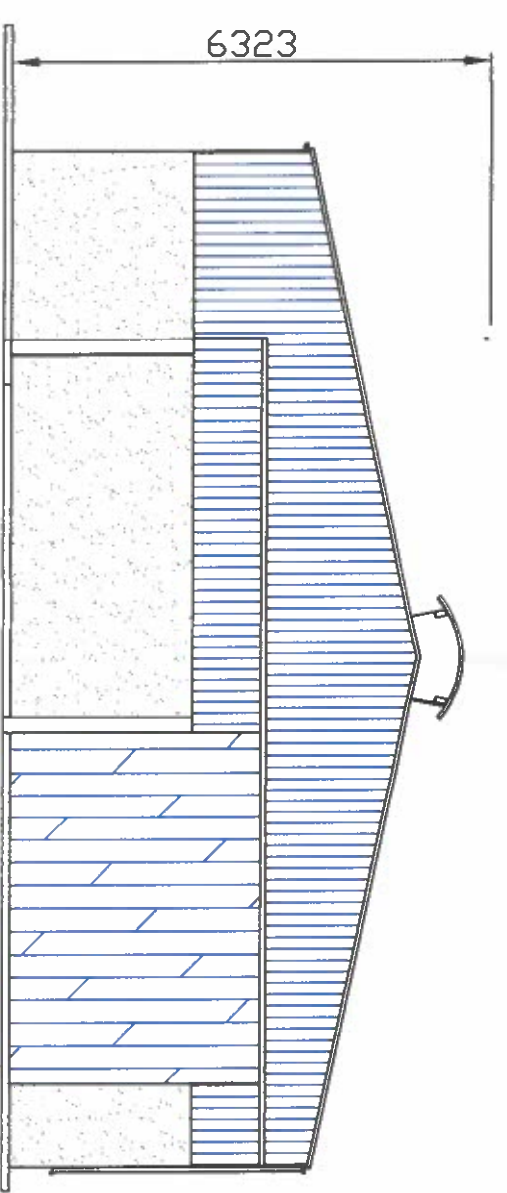
West Elevation



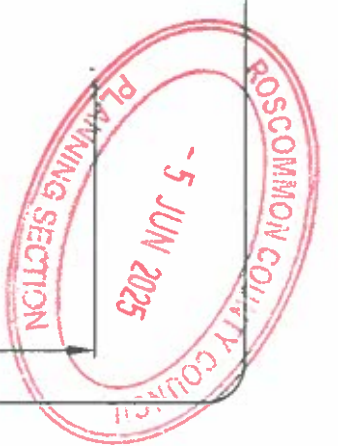
North Elevation



East Elevation



South Elevation



RATHCROGHAN DESIGN
Ballyconboy, Ballymore, Castlereagh, Co. Roscommon
Ph: 006 2284184 Email: rathcroghan@rathcroghan.com

Client
Jonahhan Barron

Title
SLATTED SHED

Scale 1:100 UNLESS NOTED
Drawn MARTIN DUNN
Date 28-04-2025

Sheet
2 OF 2

Dwg. No.
25-145